

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	NO. 3:CR-20-228
	:	
v.	:	(Judge Mariani)
	:	
KURT MORAN,	:	
Defendant	:	Filed Electronically

JOINT MOTION TO DESIGNATE AS COMPLEX CASE

The United States of America, by Assistant U.S. Attorney Michelle L. Olshefski, joined by defense counsel, Robert J. Levant and Brian J. McMonagle, respectfully move the Court to designate the above referenced case as complex. In support thereof, it is averred as follows:

1. On September 15, 2020 an Indictment was filed charging the defendant with violations of 18 U.S.C. §371, 42 U.S.C. §1320a-7b(b)(1)(B), 21 U.S.C. §841(a)(1), 18 U.S.C. §1347. Trial is scheduled for November 30, 2020. A final pre-trial conference is scheduled for November 24, 2020.
2. The instant case is unusual and complex due to the nature of the prosecution. 18 U.S.C. § 3161(h)(7)(B)(ii).

3. The instant case involves an Indictment that includes 423 Counts, as well as Criminal Forfeiture.

4. The Government's disclosures and discovery in this case are voluminous and include thousands of pages, as well as voluminous electronic storage information.

5. It is anticipated that there will be numerous witnesses to be contacted and interviewed, including multiple expert witnesses that will need to be retained.

6. It is anticipated that trial of this matter will be lengthy and complex, with hundreds of exhibits and numerous witnesses for the Government and the defense.

7. It is anticipated that trial of this matter will take approximately four weeks.

8. Taking into consideration the complexity of this case, the amount of discovery to be reviewed, and the amount of investigation that will be required, the length of time to prepare this case for trial will take months. Realistically speaking, it may take at least six months before the parties are prepared for trial.

9. In light of the above, counsel for the Government and the defendant respectfully request that the court designate this matter as complex.

10. In accord with this request, the parties respectfully ask the court to designate a trial date at a time period no less than six (6) months into the future, and no more than nine (9) months into the future, to include motion deadlines and response dates.

11. As stated, this is a joint motion as all parties agree that this case is complex and will involve a lengthy trial.

WHEREFORE, the parties jointly respectfully request that this Honorable Court grant this Motion to Designate this case as a Complex case.

Respectfully submitted,

DAVID J. FREED
United States Attorney

Date: November 16, 2020

/s/ Michelle L. Olshefski
Michelle L. Olshefski
Assistant United States Attorney
Michelle.Olshefski@usdoj.gov

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CERTIFICATE OF CONCURRENCE

I, Michelle L. Olshefski, hereby certify that Robert J. Levant, Esquire, and Brian J. McMonagle, Esquire, counsel for the defendant, concur in the within Motion.

/s/ Michelle L. Olshefski
MICHELLE L. OLSHEFSKI
Assistant United States Attorney

Date: November 16, 2020

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on November 16, 2020, she served a copy of the attached:

MOTION TO DESIGNATE AS COMPLEX CASE

by electronic filing on the following:

Robert J. Levant, Esquire,
Brian J. McMonagle, Esquire

/s/ Christina M. Nihen
Christina M. Nihen
Legal Assistant